THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT APPEAL NO.1587 OF 2005

Date: 02-09-2005

Between:

M/s Indo National Limited, Nellore …Appellant

And

The Joint Collector and others …Respondents

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT APPEAL NO.1587 OF 2005

J U D G M E N T (Per the Hon'ble Sri Bilal Nazki, ACJ)

Heard learned counsel for the parties.

The writ petitioner filed a writ petition complaining that he was being evicted from the land possessed by him without following due process of law. The learned Single Judge gave a direction that if the respondents want to evict the petitioner from the land in question, they should do so in accordance with law. However, the learned Single Judge made certain observations, which according to the writ petitioner/appellant, if taken into consideration by the authorities, would prejudice his rights. In this view of the mater, after hearing learned counsel for both the parties, we direct that if the respondents decide to issue any notice to the writ petitioner/appellant for eviction, while passing any order on such notice, they shall not be influenced by the observations made by the learned Single Judge and shall decide the matter independently in accordance with law.

The writ appeal is accordingly disposed of. No order as to costs.

(Bilal Nazki, ACJ)

2nd September, 2005

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(R.Subhash Reddy,J)

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